വിദ്യാഭ്യാസവും ആഭ്യന്തരവും മന്ത്രി (ശ്രീ. സി. എച്ച്. മുഹമ്മദുകോയ):

(എ, ബി) കേരളഹൈക്കോടതിയുടെ ചില ജഡ്ജ്മെൻറുകളിൽ കേരളവിദ്യാഭ്യാസചട്ടങ്ങളിലുള്ള ചില പാകപ്പിഴകൾ (ചട്ടങ്ങളുടെ അവ്യക്തത തുടങ്ങിയവ) ചൂണ്ടിക്കാണിക്കപ്പെട്ടിട്ടുണ്ട്. ഈ പാകപ്പിഴകൾ പരിഹരിക്കുന്നതിനുവേണ്ടി കേരളവിദ്യാഭ്യാസചട്ടങ്ങളിൽ അടിസ്ഥാനപരമായ മാറ്റങ്ങൾ ഒന്നുംതന്നെ വരുത്താതെ പരിഷ്കരിക്കുന്നതിനുവേണ്ടി ഒരു കമ്മിറ്റിയെ നിയമിച്ചിട്ടുണ്ട്.

ഈ കമ്മിറ്റിയിലെ അംഗങ്ങൾ താഴെ പറയുന്നവരാണ്:

(1) ശ്രീ. കെ. രാമൻ, ഗവൺമെൻറു പ്ലീഡർ, ഹൈക്കോർട്ട്,
(2) ശ്രീ. കെ. കെ. നരേന്ദ്രൻ, അഡ്വക്കേറ്റ്, ഹൈക്കോർട്ട്,
(3) അസിസ്റ്റൻറു സെക്രട്ടറി, ലാഡിപ്പാർട്ടുമെൻറ്, സെക്രട്ടേറിയറ്റ്,
(4) ഡപ്യൂട്ടി ഡയറക്ടർ, വിദ്യാഭ്യാസ ഡിപ്പാർട്ടുമെൻറ്,
(5) ലാ ആഫീസർ, വിദ്യാഭ്യാസഡയറക്ടർ ആഫീസ്, (കൺവീനർ).

അദ്ധ്യാപകരുടെ സർവ്വീസ്

* 93 [339] ശ്രീ. വി. കുട്ടികൃഷ്ണൻ നായർ: താഴെ കാണുന്ന ചോദ്യങ്ങൾക്ക് വിദ്യാഭ്യാസവും ആഭ്യന്തരവും വകുപ്പു മന്ത്രി സദയം മറുപടി നൽകുമോ:

(എ) അദ്ധ്യാപകരുടെ സർവ്വീസ് ബ്രേക്ക് കണ്ടോൺചെയ്തു ഗ്രേഡ് അനുവദിച്ചുകൊടുത്തിട്ടും ഗ്രേഡ് അനുവദിച്ച് കിട്ടിയതീയതി മുതൽ വർദ്ധിച്ച ശമ്പളത്തോത് അനുവദിച്ച് കിട്ടുന്നില്ല എന്ന പരാതി ഗവൺമെൻറിൻെറ ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ടോ;

(ബി) ഒരുമാസവും അതിനുതാഴെയും സർവ്വീസ് ബ്രേക്ക് വന്നിട്ടുള്ള അദ്ധ്യാപകരിൽ ചിലർക്കുമാത്രം ഗ്രേഡ് കിട്ടിയ തീയതിമുതൽ വർദ്ധിച്ച ശമ്പളം അനുവദിക്കുകയും മറ്റു ചിലർക്ക് അനുവദിക്കാതിരിക്കുകയും ചെയ്യുന്നതായി ഗവൺമെൻറിനറിയാമോ;

(സി) ഇത് പരിഹരിക്കുന്നതിന് വ്യക്തമായ നിർദ്ദേശങ്ങൾ കൊടുക്കുമോ?

വിദ്യാഭ്യാസവും ആഭ്യന്തരവുംമന്ത്രി (ശ്രീ. സി. എച്ച്. മുഹമ്മദ്കോയ):

(എ) ഉണ്ട്,

(ബി) ഇല്ല,

(സി) വ്യക്തമായ നിർദ്ദേശങ്ങൾ ഈ കാര്യത്തിൽ നൽകിക്കഴിഞ്ഞിട്ടുണ്ട്. ഉത്തരവിൻെറ ഒരുകോപ്പി മേശപ്പുറത്തു വച്ചിട്ടുണ്ട്. †

നാഷണൽ സേവിംഗ്സ് ഓഫീസർമാർ

* 94 [341] ശ്രീ. പി. ജി. പുരുഷോത്തമൻപിള്ള: താഴെ കാണുന്ന ചോദ്യങ്ങൾക്ക് ധനകാര്യമന്ത്രി സദയം മറുപടി നൽകുമോ?

(എ) നാഷണൽ സേവിംഗ്സ് ഓഫീസറൻമാരുടെ തസ്തികകൾ നിർത്തലാക്കുന്നതിനു മുൻ മന്ത്രിസഭ ഉത്തരവായിട്ടുണ്ട്; എങ്കിൽ കാരണങ്ങൾ എന്തെല്ലാമാണ്.

† Appendix I

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APPENDIX—I

(Please see answer to starred Question 339 dated 27-1-1970)

GOVERNMENT OF KERALA

ABSTRACT

Education—Establishment—sanction of higher scale of pay to aided and Government school teachers—condonation of break of service—uniform procedure—orders issued.

EDUCATION (J) DEPARTMENT

G. O. (MS) 67/69/Edn. *Dated, Trivandrum, 5th February* 1969.

Read:—1. G. O. (P) 3/68 Edn. dated 4-1-1968.
2. G. O. (MS) 25/68/Edn. dated 20-1-1968.
3. G. O. (P) 4/68/Edn. dated 4-1-1968.
4. G. O. (MS) 26/68/Edn. dated 20-1-1968.
5. G. O. (MS) 74/68/Edn. dated 24-2-1968.
6. G. O. (P) 133/68/Edn. dated 25-3-1968.
7. Correspondence resting with the Director of Public Instruction letter No. H2-143328/68 dated 22-10-1968.

ORDER

According to existing orders a period of break upto a maximum of a month from the date of relief from Government or Local Body Schools to the date of joining duty in aided school in the case of aided school teachers and from the date of relief from aided school to the date of joining in Government school in the case of Government school teachers will be condoned for the purpose of counting the previous service for sanctioning higher grade. Condonation broken of periods for commuting total periods of service will not be allowed. But hard cases of breaks for a period of less than one year at a time will be considered on merits, Government sanction had to be obtained for condonation of breaks in each case. Large number of petitions are being received from both aided and Government school Teachers requesting for condonation of different categories of breaks in service for purpose of sanctioning higher scale of pay. A uniform procedure will have to be adopted in order to avoid contradictory recommendations and orders in respect of such cases. The Director of Public Instruction has suggested a procedure to be followed in dealing with such cases. The breaks of service of aided school teachers may be due to reasons like (1) resignation joining service in new schools (2) absence of vacancy (3) relief on the closing date

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due to inadequate service for retention during vacation (4) absence for a period & for which no eligible leave was available (5) withdrawal of recognition of schools (6) closure of schools (7) want of fitness certificate for temporary school buildings (8) disqualification of management (9) Managements disputes. If thesekinds of breaks in services of teachers are not condoned, many teachers who have got considerable length of aggregate service prior to their date of commencement of continuous service, will not get the benefit of the higher the grade in the near future due to no fault of theirs. The Director of Public Instruction has therefore recommended that the breaks of service of these teachers may be condoned as below.

No.	of years of aggregate service prior to the date of commencement of continuous service.	Maximum period of break to be condoned.
1	Teacher with 6 or more years of service	1 year
2	Do. 5 years of service	10 months
3	Do. 4 years of service	8 months
4	Do. 3 years of service	6 monthrs
5	Do. below 3 years and above one year	2 months
6	Do. below 1 year	Nil

In the case of teachers with 6 years or more of prior service break of service for more than a year may be condoned based on the merits of each case.

Government have examined the question in detail and are pleased to order that the breaks of service of teachers due to reasons like (1) resignation for joining service in a new school (2) absence of vacancy (3) relief on the closing date due to inadequate service for retention during vacation (4) absence for a period for which no eligible leave was available (5) withdrawal of recognition of schools (6) closure of schools (7) want of fitness certificates for temporary school buildings (8) disqualification of management (9) management disputes, will be condoned by Director of Public Instruction as below:

No.	of year of aggregate service prior to the date of commencement of continuous service.	Maximum period of break to be condoned.
1	Teachers with 6 or more years of service	
2	Do 5 years of service	10 months
3	Do 4 years of service	8 months
4	Do 3 years of service	6 months
5	Do below 3 years and above one year	2 months
6	Do below 1 year	Nil

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In the case of teachers with 6 years or more of prior service break of service for more than a year may be condoned based on the merits of each case. Such cases will be referred to Government.

If cases of hardship which will not come within the ambit of orders above come up for consideration, they may be referred to Government for disposal.

The period of actual break in service will not count as service and that the grant of this concession will not entitle the incumbent for preferential claims for seniority or for back arrears.

By order of the Governor,
P. K. UMASHANKAR,
Additional Secretary to Government.

To

The Director of Public Instruction.
The Accountant General
All Regional Deputy Directors' and District Educational Officers
All Assistant Educational Officers.
The Finance Department (Vide U. O. Note No. 11411/E & H/B1 68/Fin. dated 7-1-69).
The Education ABCD and L Sections.
All Recognised Teachers' Associations.

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GOVERNMENT OF KERALA

Abstract

Education—Establishment—Sanction of Higher Scale of Pay to Aided and Government School teachers—Condonation of break of Service—Eligibility for the higher scale and payment of arrears Uniform procedure—Orders issued.

EDUCATION (J) DEPARTMENT

G. O. (MS) No. 384/69/Edn. *Dated, Trivandrum, 13th October 1969.*

Read:- 1. G. O. Ms. 67/69/Edn. dated 5-2-69
2. Correspondence resting with letter No. N5-52234/69 dated 8-9-69 from the Director of Public Instruction, Trivandrum.

ORDER

In the G. O. read as I paper, it was ordered inter-alia, that the period of actual break in service will not count as service and that the grant of concessions specified therein will not entitle the beneficiary teacher to preferential claims for seniority or back arrears.

2. Certain clarifications to the orders referred to above have been sought for by the Director of Public Instruction and the teachers' associations. The matter was therefore discussed at a conference held at the Government level, in detail. It was pointed out that, while it may be difficult to give the benefit of back arrears from 1-7-1966, the denial of arrears of pay in a general basis may adversely affect the teachers. Requests for condonation of the breaks in service will be processed in a variety of ways by different officers. In certain cases, the requests may be delayed because of the necessity to verify the relevant records. In some other cases, the delay may be due to the fact that the concerned officers may have raised queries and in such cases reference to the relevant records may be necessary. All these will result in the requests for condonation of breaks in service preferred on later dates being sanctioned earlier and requests made earlier being delayed. It may not also be possible to avoid these delays as these requests are handled by different offices and officers at various levels. Hence it would be necessary to lay down some principle for the sake of uniformity so that the teachers who made the requests for the condonation of the break of service earlier and in whose cases, necessary sanctions were delayed due to reasons beyond control, are not penalised.

3. Having considered the circumstances explained in para 2 above Government are pleased to order that the benefit of fixation of pay in respect of sanctions higher scale of pay to teachers after condonation of break of service as laid down in the G. O. read as I paper will be allowed from 1-7-1966 and that arrears of pay consequent on such fixation will be given only from 5-2-1969 which is the date of the G. O. read as I paper or from actual date of sanction of the Higher scale of pay, whichever is earlier.

By order of the Governor,

P. K. UMASHANKAR,
Additional Secretary.

To

The Director of public Instruction, Trivandrum.
The Accountant General, Kerala, Trivandrum (This order issues with the concurrence of Finance Department vide their U. O. note No. 8814/E&H/ (B) 3/69/Fin. dated 12-9-69)
Finance Department (E&H Wing)
Regional Deputy Director of Public Instructions.
District Educational Officers.
Assistant Educationl Officers.
Education A, B, C, D and L Sections.
All Recognised Teachers' Association.

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